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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,675	09/17/2004	Jeannot Hironimus	258372US6PCT	7095
22850	7590	02/13/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			KOVACS, ARPAD F	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/506,675	Applicant(s) HIRONIMUS ET AL.	
	Examiner Árpád Fábán Kovács	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 53 - 57 is/are allowed.
- 6) ☐ Claim(s) 29-52 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 32 are objected to because of the following informalities:

In re cl. 32:

It appears that the last two lines already describe the same feature recited in lines 7-8.

“An agricultural” is recited twice in line 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 29-52, 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Franet et al (US 2002/0174534A1).

Franet discloses:

cl. 29, 34, 44-45, 47-49, 58:

an agricultural machine including:

a carrying vehicle (12);

plural working units (10);

the agricultural machine comprising:

two front work units / cutting device & conveying device (col. 1, ln 44, teaches

mowing heads; or in col. 3, ln 60-67, teaches may have multiple work units, such

mowing head followed by conditioning arrangement, ref 22, conveying device / screw

conveyor the like, such as belt conveyor, col. 4, ln 14) & outside the front work units

two lateral work units / cutting device & screw conveyor or the like, such as belt

conveyor, mentioned earlier (fig 1);

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the units can be moved into transport vertically / work positions horizontally (col. 6, ln 40-48);

two rear wheels slideably connected (fig 1);

cl. 30:

the side units are arranged backwards from the front units (see fig 1);

cl. 31-32:

an agricultural machine including:

 a carrying vehicle (12);

 plural working units (10);

the agricultural machine comprising:

two front work units (col. 1, ln 44, teaches mowing heads; or in col. 3, ln 60-67, teaches may have multiple work units, such mowing head followed by conditioning arrangement, ref 22) & on either side of the work are of the front work units two lateral work units (fig 1);

the units can be moved into transport / work positions (col. 6, ln 40-48);

the side units are arranged backwards from the front units (see fig 1);

cl. 33:

at least one of the work units is pivoting (about pin 126; or bearing eye 160);

cl. 35-36, 40-41:

a hitching structure capable to be height adjustable (60; 118);

cl. 37-39, 51:

at least one of the work units (mowing heads, conveying device), such as the lateral, translationally in a sliding manner can be assembled (col. 6, ln 23-39, describes how the mowing units can be exchanged, that involves translational sliding), the carrying arm is pivotable (about ping 126; bearing eye 160);

cl. 42-43:

a rear hitching structure (134);

cl. 46:

a control device (col. 10, ln 17, positioning system);

cl. 50:

an engine (col. 5, ln 49-67; col. 6, ln 1-21) capable of driving the working units (mowing heads, conveyor belt) in two directions.

Allowable Subject Matter

4. Claims 53-54 are allowed.

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Response to Arguments

5. Applicant's arguments with respect to claims 29-54 have been considered but are moot in view of the new ground(s) of rejection.

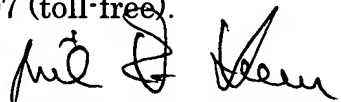
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Franet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Árpád Fábián Kovács whose telephone number is 571 272 6990. The examiner can normally be reached on Mo-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272 6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Árpád Fábián Kovács
Primary Examiner
Art Unit 3671

ÁFK